

EXHIBIT 1

From: Etkin, Michael S. <metkin@lowenstein.com>
Sent: Thursday, December 21, 2023 4:09 PM
To: Lorena Parada; Slack, Richard
Cc: cvillegas@labaton.com; dgrassgreen@pszjlaw.com; Palmieri, Michael S.; Joshua.Hamilton@lw.com; JAMES.BRANDT@lw.com; 'Michael.Reiss@lw.com'; Thomas Rupp (trupp@kbbllp.com); Jane Kim (jkim@kbbllp.com); Jarashow, Kizzy L.; Frank Catalina; Marcu, Ben
Subject: RE: Request To Set Schedule

Ms. Parada –

We are in receipt of Mr. Slack's email and are surprised that Mr. Slack chose to engage the Court rather than contact me directly to attempt to reach a compromise over scheduling. Leaving aside why the Reorganized Debtors would even choose to oppose the motion or whether they would have standing to do so, I certainly regret the initial scheduling in terms of the response deadline (which I unfortunately didn't focus on) and was prepared to try to accommodate Mr. Slack, who was served with the motion on December 8. However, the relief sought in the motion is important and relevant from a timing perspective given the pendency of the omnibus claim objections and the status in which we will be opposing those objections. Had Mr. Slack reached out to me rather than the Court, I would have pushed his response deadline to the following week at the risk of shortening PERA's time to reply before the hearing on January 9.

I apologize to you and the Court for having been unnecessarily drawn into a scheduling matter.

Respectfully,

Michael Etkin

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From: Lorena Parada <Lorena_Parada@canb.uscourts.gov>
Sent: Thursday, December 21, 2023 3:36 PM
To: Slack, Richard <richard.slack@weil.com>
Cc: cvillegas@labaton.com; Etkin, Michael S. <metkin@lowenstein.com>; dgrassgreen@pszjlaw.com; Palmieri, Michael S. <mpalmieri@fklaw.com>; Joshua.Hamilton@lw.com; JAMES.BRANDT@lw.com; 'Michael.Reiss@lw.com'

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Subject: RE: Request To Set Schedule

Mr. Slack,

Thank you. I have forwarded your email to His Honor.

Regards,

Lorena Parada

Courtroom Deputy to the
Honorable Dennis Montali
United States Bankruptcy Court
Northern District of California - San Francisco Division
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San Francisco, CA 94102
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From: Slack, Richard <richard.slack@weil.com>
Sent: Thursday, December 21, 2023 12:11 PM
To: Lorena Parada <Lorena_Parada@canb.uscourts.gov>
Cc: cvillegas@labaton.com; metkin_lowenstein.com <metkin@lowenstein.com>; dgrassgreen@pszjlaw.com; Palmieri, Michael S. <mpalmieri@fklaw.com>; Joshua.Hamilton@lw.com; JAMES.BRANDT@lw.com; 'Michael.Reiss@lw.com' <Michael.Reiss@lw.com>; Thomas Rupp (trupp@kbkllp.com) <trupp@kbkllp.com>; Jane Kim (jkim@kbkllp.com) <jkim@kbkllp.com>; Jarashow, Kizzy L. <KJarashow@goodwinlaw.com>; Frank Catalina <fcatalina@rksllp.com>; Marcu, Ben <Ben.Marcu@weil.com>
Subject: Request To Set Schedule

CAUTION - EXTERNAL:

Dear Ms. Parada,

We write seeking the Court's intervention to set a schedule on PERA's *Motion for Appointment As Lead Plaintiff And Approval Of Selection Of Lead Counsel* [Dkt. No. 14169] ("**Temporary Class Motion**" or "**Motion**"). As we notified the Court at December 19, 2023 conference, PERA filed the Temporary Class Motion such that the response to the Motion is due December 26, 2023 — the day after Christmas. Several days before the conference, counsel for PG&E had reached out to counsel for PERA seeking a more reasonable response date after the holidays but received no response. The Court suggested at the conference that the Motion simply be scheduled for the next omnibus hearing with the response date correspondingly moved for all interested parties. *See* Dec. 19, 2023 Hr'g. Tr. at 20:2-5 ("[THE COURT]: it's no big deal to move it two weeks. And if PERA is agreeable to that, that solves the holiday problem. If they would agree -- I'll let you work that out"). In response, PERA's counsel recognized that PERA would not be a "Scrooge" and would not require a response during the holidays. *Id.* at 20:7-8 ("We are not Scrooges, either, so we will work with Mr. Slack and figure out something that makes sense"). Notwithstanding the Court's recommendation and PERA's response, PERA has now refused to move the hearing to the next omnibus hearing and is only willing to move the response date a few days, such that it is still during the week between Christmas and New Year's.

The Reorganized Debtors therefore find themselves in the disappointing position of having to seek the Court's intervention to set a reasonable schedule for the Motion. We note that PERA could have filed this motion at any time since the hearing regarding PERA's 7023 motion months ago, but chose to file it such that it is to be heard with the responses over the holidays. We are not aware of any urgency in having the motion heard. Indeed, if it was urgent, why wasn't it filed months ago? As the Court and the parties recognized, there are now a number of matters on the Court's docket that will need to be resolved before any of the class certification issues, and the 7023 motion and class certification issues are not set to be heard until long after the New Year.

The Reorganized Debtors ask that the Court set the Motion to the very next omnibus hearing and set the response date accordingly — i.e. the Reorganized Debtors and any other interested parties would file their response to the Motion at least 14 days prior to that omnibus hearing date.

We are available at the Court's convenience for a conference should the Court desire to hold one.



Richard Slack

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